

Minutes of the Planning Commission meeting held on Thursday, June 3, 2010, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jim Harland, Chair
Sheri Van Bibber, Vice-Chair
Karen Daniels
Kurtis Aoki
Jeff Evans
Tim Taylor
Ray Black
Ray Christensen, Senior Planner
Tim Tingey, Community & Economic Development Director
G.L. Critchfield
Citizens

Mr. Harland opened the meeting and welcomed those present.

APPROVAL OF MINUTES

There were no minutes to be approved.

CONFLICT OF INTEREST

There were no conflicts of interest stated regarding this agenda.

APPROVAL OF FINDINGS OF FACT

Tim Taylor made a motion to approve the Findings of Fact for Bean Firearms Company and Barrowes Subdivision. Seconded by Sheri Van Bibber.

A voice vote was made. The motion passed unanimously, 7-0.

CLEARWIRE - 4640 South 900 East – Project #10-155

Noah Grodzin was the applicant present to represent this request. Ray Christensen reviewed the location and request for an amendment to increase the permitted height of an existing wireless communications tower. The Planning Commission previously approved a 70-foot tall tower at the site on January 21, 2010. Upon applying for a building permit, it was discovered that the pole is 76'8". The applicant subsequently has applied for an amendment for the additional height for co-location which includes an additional antenna. This proposal meets the ordinance requirements of the C-D-C zoning district with Planning Commission approval for an amendment to the Conditional Use Permit. Based on the information submitted by the applicant and the review and analysis provided, the staff recommends approval of the request for an amendment to the Conditional Use Permit to allow a communications tower and antennas not to exceed 78 feet in height, and subject to the conditions of the January 21, 2010 Conditional Use Permit.

Noah Grodzin, 5501 N E 109th Court, Suite A-2, Vancouver, Washington, stated that essentially the previous approval was to increase the height of the tower to 70 feet. At that time he was under the impression the tower was 65 feet in height but apparently

they were provided inaccurate information from the tower owner. The tower currently exists at 76 feet. He stated that they are desirous to have the 76 feet for co-location. Mr. Grodzin stated he has reviewed the staff recommendations and will comply.

Ray Black clarified that this proposal is actually not increasing the existing height and the commission is merely approving what currently exists. Mr. Grodzin stated that the Clearwire facility will locate underneath the existing antenna which is at the 76 foot height. He stated that the structural engineering has been done for this proposal.

Karen Daniels commented that the staff recommendation is for 78 feet to allow for minor height discrepancies.

No comments were made by the public.

Jeff Evans made a motion to amend the Conditional Use Permit for Clearwire at 4640 South 900 East for a height not to exceed 78 feet in height. The amendment is due to the fact that the existing cell tower is 76 feet in height and is subject to the following conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. The applicant shall provide plans and calculations stamped and sealed by structural engineer for review.

Seconded by Kurtis Aoki.

Call vote recorded by Ray Christensen.

A Jeff Evans
A Karen Daniels
A Sheri Van Bibber
A Jim Harland
A Tim Taylor
A Kurtis Aoki
A Ray Black

Motion passed, 7-0.

DISCOUNT TIRE – 6150 & 6180 South Vine Way – Project #10-156

Paul Witherspoon was the applicant present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit approval to remodel the two existing buildings and expansion of the tire business to the north property. This property is located in the C-D-C zone on the west side of Van Winkle Expressway. Mr. Christensen stated that the properties are being combined into a single parcel and will need to be recorded at the Salt Lake County Records Office prior to building permit application. He said that a variance was recently granted for this property by the Board

of Adjustment for a 10 foot setback variance along the front of the building. He stated that Discount Tire is an existing business at this location and that they are remodeling and expanding to include the Cottonwood Glass building. Mr. Christensen said that the west side of the property is adjacent to a residential zone and that the existing wood fence will need to be replaced by a masonry wall in order to meet the ordinance requirements. He said that there should be a 10 foot landscaping depth in this area along with a 5 foot landscaping depth along the south side of the property near the parking area. Mr. Christensen stated that the driveway will be located on the west side of the building and that 19 parking stalls are required. He said that the dumpster enclosure is proposed to be in front of the building, which requires Planning Commission approval. He stated that there have been some discussions with UDOT regarding the removal of street barriers between this property and Highland Drive and that UDOT would have to give approval regarding that property. He said that staff is recommending approval of the Conditional Use Permit.

Mr. Harland asked why the dumpster is going to be located in the front of the building. Mr. Christensen responded that it is due to the access pattern and that it will be easier for a truck to pick up from the front location. Mr. Harland asked what type of enclosure will surround the dumpster. Mr. Christensen said that the enclosure has to be a solid fence material with gates.

Paul Witherspoon, 1100 East 6600 South, Suite 320, is the Regional Vice President for Discount Tire Company. He stated that the dumpster enclosure will be a masonry wall. He said that the company intends to improve the location so that it is more efficient for the public and an overall improvement to the entire area. He said that they are working with UDOT to remove the road barriers and install landscaping instead. Mr. Witherspoon confirmed that he has received a copy of the staff report and will comply with the conditions.

Mr. Harland stated that the renderings submitted were well done and that the building will look very nice. There were no comments from the public in relation to this item.

Ray Black made a motion to approve a Conditional Use Permit for a remodel of the existing two buildings and expansion of the tire business to the north property at 6150 and 6180 South Vine Way, subject to conditions:

1. The project shall meet all applicable building code standards.
2. The project shall meet all current fire codes.
3. A formal landscaping plan meeting the requirements of Chapter 17.68 of the Murray Municipal Code shall be submitted and approved by the Murray City Forester and be installed as approved prior to occupancy.
4. The trash container shall be screened as required by Section 17.76.170 and is approved by the Planning Commission in front of the building.
5. All of the parking stalls shall be paved and striped, including one disabled stall with sign posted to meet zoning and ADA regulations.

6. A 6 foot high solid masonry wall and 10 foot depth of buffer landscaping is required at the west side of the property adjoining the residential zone.
7. The parcels of property will need to be combined into one lot and recorded at Salt Lake County prior to building permit application.

Seconded by Karen Daniels.

Call vote recorded by Ray Christensen.

A__ Jeff Evans
A__ Karen Daniels
A__ Sheri Van Bibber
A__ Jim Harland
A__ Tim Taylor
A__ Kurtis Aoki
A__ Ray Black

Motion passed, 7-0.

CROWN POINT P.U.D. AMENDMENT – 5646 South Crown Point – Project #10-157

Russ Koehler was the applicant present to represent this request. Ray Christensen reviewed this location and stated that the request is to amend the Crown Pointe P.U.D. relating to the existing boundaries. He said that the original P.U.D. was approved in 1989 by the Planning Commission with 37 single family dwellings and that this site is located in the R-M-15 zone. He stated that this request is to combine additional property at the west side of the lot addressed 5646 East Crown Pointe Drive, which is lot #25. He said that the west parcel was added to the lot in 1993 but the process was never completed to amend the P.U.D. plat. Mr. Christensen stated that Ms. Williams is planning to construct an addition onto the back of the dwelling and that the subdivision must be amended in order to obtain a building permit. He stated that the boundary change will need to be recorded at Salt Lake County with review and approval by the City Engineer. Mr. Christensen said that staff is recommending approval of the amendment.

Karen Daniels asked for clarification of the easements. She asked if the home was built in 1989 when the P.U.D. was approved. Mr. Christensen responded that the home was likely built after that approval. Ms. Daniels stated that utility easements are normally along property boundaries and asked if the easements will have to change. Mr. Christensen stated that although there is an easement that runs behind the home, staff has investigated and found that it does not appear that any utilities exist in that easement. He said that the new easements will be moved back 10 feet on the west side and north side and 7.5 feet on the south side.

Kurtis Aoki asked if there is a fence in place based on the previous boundary line and if that fence will have to be removed. Mr. Christensen responded that the fences have already been moved on lots #20 to #25 to include the additional property.

Mr. Harland asked if the Planning Commission is being asked to approve this request or send a recommendation of approval to the Mayor. Mr. Christensen stated that the P.U.D. requires Conditional Use Permit approval by the Planning Commission and the subdivision plat is approved by the Mayor.

Russ Koehler of Creative Living Construction stated that he is the contractor on this project and is present to represent Mary Williams. He stated that he and the owner have reviewed the staff report and will comply with the conditions.

There were no public comments related to this item.

Karen Daniels made a motion to send a positive recommendation to the Mayor for approval of the amended Crown Pointe P.U.D. plat, with the changes to the lot boundary for the property addressed 5646 Crown Pointe Drive, and to approve the Conditional Use Permit, subject to conditions:

1. Meet the Engineering Division requirements for recording the amended Crown Pointe P.U.D. plat at Salt Lake County Recorder's office and provide Murray City a copy of the recorded document prior to issuance of a building permit.
2. The project shall meet all applicable building and fire code standards.
3. The project shall meet current fire codes and Power Department requirements including utility easements to be shown on the plat to meet subdivision regulations.
4. Landscaping shall meet the requirements of Chapter 17.68 of the Murray Municipal Code as approved by the Murray City Forester.
5. Meet all subdivision and planned unit development requirements.
6. All fencing shall meet fence code regulations.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A Jeff Evans
A Karen Daniels
A Sheri Van Bibber
A Jim Harland
A Tim Taylor
A Kurtis Aoki
A Ray Black

Motion passed, 7-0.

OTHER BUSINESS

Tim Tingey stated that on June 29th from 6:00 to 8:00 p.m. there will be an open house for the Downtown Master Plan and Public Input meeting. He said that the event will be at Murray High School and invited the Planning Commission members to attend. He stated that the Boards and Commissions Appreciation Banquet is scheduled for June 16th, 2010.

Mr. Tingey stated that a partnership agreement was recently completed with Neighborworks and that they will soon have an office located within Murray. He said that the role of Neighborworks is to address some of the housing issues in the City.

The Commission asked a member of the public to introduce herself. Marta Nielsen, 647 West Winchester Street, stated that she is a student studying city and metropolitan planning at the University of Utah.

Meeting adjourned.

Tim Tingey
Community & Economic Development Director